

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:21 CR 00580 AGF DDN
)	
KEVIN CUNNINGHAM,)	
)	
Defendant.)	

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Geoffrey S. Ogden, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. The defendant represents a serious threat to the community. Defendant is currently on federal pre-trial release in Case No. 4:20-CR-00178 HEA-NAB, stemming from a conspiracy to distribute controlled substances. Despite this supervision, Defendant engaged in the acts underlying the present criminal complaint; namely, conspiring with one or more individuals to commit a murder-for-hire. This conduct included identifying an intended victim and transferring multiple loaded firearms to be used in the commission of the offense.

2. Suffice it to say, Defendant is not amenable to supervision. The danger he represents is real and requires no speculation as a result of the acts he took in furtherance of the crimes outlined in the criminal complaint. Moreover, the Government anticipates that a motion for revocation of his pre-trial release will be imminently filed in Defendant's existing case. For these reasons, the Government respectfully requests Defendant be detained pending resolution of this case.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
UNITED STATES ATTORNEY

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